

**Memorandum of Understanding**  
**between the**  
**Cupertino Sanitary District**  
**and the**  
**Cupertino Amateur Radio Emergency Service**

**1. Purpose**

The purpose of this document is to state the terms of a mutual agreement (Memorandum of Understanding) between the Cupertino Sanitary District (CuSD) and the Cupertino Amateur Radio Emergency Service (CARES). This document will serve as a framework describing how CARES volunteers will coordinate their services, personal equipment, and facilities with CuSD to support a Cupertino emergency communications function. Through joint exercises and coordination of CARES and CuSD resources, this document intends to enhance the emergency communications readiness for any possible disaster.

**2. Organization of CARES**

As established by the Federal Communications Commission's Rules and Regulations (47 C.F.R. Part 97), a primary responsibility of the Amateur Radio Service is to render public service communications for the general public, particularly in times of emergency when normal communications are not available. Using the amateur frequency bands, Amateur Radio operators have been serving the general public, both directly and through governmental and relief agencies, for more than 50 years. To this end, the American Radio Relay League (ARRL), the national association for radio amateurs, organized the Amateur Radio Emergency Service (ARES). Cupertino ARES (CARES) is one such organization.

CARES is a volunteer organization made up of licensed amateur radio operators who have ties with Cupertino and voluntarily registered their qualifications and equipment for communications duty in the public service in the event of a disaster. The CARES Emergency Coordinator (EC) is an appointed position by the Santa Clara County District Emergency Coordinator (DEC) and responsible for managing the preparedness and response operations of the CARES organization.

**3. Radio Amateur Civil Emergency Service**

The Radio Amateur Civil Emergency Service (RACES) is an emergency service function defined under Part 97 of the Federal Communications Commission (FCC) Rules. RACES is a special phase of amateur radio operation that provides radio communications to local or State civil preparedness agencies during periods of local, regional, or national civil emergencies. All of the authorized frequencies and emissions allocated to the Amateur Radio Service are also available to RACES on a shared basis. In the event that the President of the United States invokes his War Emergency Powers, RACES operators, using specially authorized frequencies, would be the only Amateur Radio Operators permitted on the air. CARES members hold dual membership in RACES and are licensed RACES operators.

**4. Organization of CuSD**

The Cupertino Sanitary District is a Special District that provides service to about 52,000 persons (21,600 residences and homes) within the City of Cupertino, portions of the Cities of Saratoga and Los Altos, and surrounding unincorporated areas. CuSD is chartered to provide a safe, effective and economical sewerage system for the above areas. The CuSD is responsible for establishing the CuSD's Emergency Plan and preparations to respond when called to do so. The District Manager-Engineer, or

his designee, is responsible for activating the Emergency Plan in accordance with the appropriate emergency guidelines. CuSD will manage a disaster response to protect its assets using the CuSD Emergency Plan.

## 5. Recognition

CuSD recognizes that CARES is an organization of more than 80 Cupertino-resident radio amateurs and, because of CARES' organized emergency communications capability, can be of valuable assistance in providing critical and essential communications and information during disasters when normal lines of communications are disrupted or overloaded. CuSD recognizes CARES as the official RACES organization for the City of Cupertino, reports to the Cupertino Office of Emergency Services, operates under the direction of the Planning and Intel Section, and in times of emergency or disaster, is activated to assist the City with requests prioritized by the City's EOC staff.

CARES recognizes the CuSD as a Special District, providing sewage collection, with its office operating within the City of Cupertino, with responsibility for all aspects of the city's sewerage system.

## 6. Method of Cooperation

For the communications resources of CARES to be coordinated and used to the fullest advantage during disasters and emergencies, and to the extent permitted or required by law and regulation, CuSD and CARES agree to the following:

1. The points of contact between CARES and CuSD for coordination of communication are:
  - Jim Oberhofer, KN6PE  
CARES Emergency Coordinator  
11846 Woodhill Court  
Cupertino, CA 95014
  - Frank Quach  
Senior Project Engineer  
20863 Stevens Creek Boulevard, Ste 100  
Cupertino, CA 95014
2. CARES will identify an individual as the key contact with CuSD. This individual will provide close cooperation and direct operational assistance to CuSD by CARES in emergency communications planning and coordination of amateur radio communications facilities during an emergency.
3. CARES and CuSD will engage in an on-going dialog on emergency preparedness with each other. They will urge both staff and volunteers to create and maintain appropriate communications and effective relationships at all levels of both organizations.
4. CARES will work with CuSD in pre-emergency planning, drills, exercises, and training programs at CuSD's operational level.
5. CARES and CuSD will work together to develop operating plans such that communications services, equipment, and facilities of the Amateur Radio Service may be coordinated within the context of the CARES' city response.
6. When there is a disaster requiring amateur radio communications and CARES is formally activated by the City of Cupertino, CuSD will participate in the CARES emergency communications network and request the assistance of CARES through the Cupertino EOC. The CuSD requests will be prioritized with other City requests. This assistance may include:

- Dispatching CARES members to CuSD critical facilities in Cupertino to perform and report on preliminary damage assessments.
  - Exchanging emergency messages of interest with CuSD either directly or indirectly through established emergency communications channels as defined by the City of Cupertino Office of Emergency Services.
  - Establishing and maintaining portable station emergency communications between CuSD facilities and the Cupertino EOC.
  - Establishing and maintaining mobile station communications between CuSD officials and the Cupertino EOC as required (Shadows).
  - Maintaining the continuity of communications for the duration of the emergency period or until normal communications channels are substantially restored.
7. When there is a disaster requiring amateur radio communications and CARES is not activated by the City of Cupertino and CuSD requires the assistance of CARES, CuSD will request a CARES activation from the Cupertino Director of Emergency Services or designee for a CARES in-city response.
  8. Distribute copies of this agreement to the CARES representative identified in item 1 above, CARES organization members, Cupertino Director of Emergency Service, and the CuSD representative who will include it with CuSD Emergency Plan.

## 7. Implementation

This Memorandum of Understanding shall take effect upon signature by CuSD Manager-Engineer, the Cupertino Director of Emergency Services, and the CARES Emergency Coordinator. This memorandum may be amended by mutual agreement of both parties. Either party may terminate this memorandum upon 30 days written notice.

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Richard K. Tanaka  
District Manager-Engineer  
Cupertino Sanitary District

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Date

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Jim Oberhofer  
Emergency Coordinator  
Cupertino Amateur Radio Emergency Service

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Date